

## **REMARKS**

**[0003]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 3-10, and 12-49 are presently pending. No Claims are amended herein. Claims withdrawn or cancelled herein remain 2 and 11. New claims added herein are none.

### **Election/Restriction**

**[0004]** Applicant respectfully traverses the restriction requirement issued in the Office Action dated February 15, 2008. In the Action, the claims are subjected to a restriction/election requirement under 35 U.S.C. §121 as containing four (4) patentably distinct groups of the claimed invention.

**[0005]** The Action indicated that each of the groups is related as a subcombination disclosed as usable together in a single combination with each of the other of the groups. The Restriction requirement divides the claims into four groups:

- I. Claims 1, 3-10 and 12-13, as directed to “using a lookup partitioning service server to access storage resources,” classified in class 709, subclass 245.
- II. Claims 14-33, as directed to “granting access to storage partitions based upon resource identifiers,” classified in class 709, subclass 225.
- III. Claims 34-46, as directed to “providing RIDs from an LPS server,” classified in class 709, subclass 219.
- IV. Claims 47-49, as directed to “a load balancing system for storage partitioning,” classified in class 709, subclass 238.

**[0006]** Applicant traverses the restriction requirement for at least the following reasons:

**[0007]** Applicant has not and does not admit that the claims are drawn to separate inventions as the Action characterizes on page 5. Rather, Applicant maintains that each of the independent claims is directed to distinct features.

**[0008]** Based on the indication that each of the purported groups of claims represent a subcombination useable with each and all of the other purported groups of claims it appears as though the claims merely represent various features—not distinct inventions. Furthermore, as each of the claims have already been examined, Applicant maintains that the second prong for restriction, “there would be a serious burden if restriction were not required,” is not met.

**[0009]** While traversing the restriction requirement, in order to be fully responsive, Applicant hereby elects—with traverse—to prosecute Group II (claims 14-33) in the event that the restriction/election requirement as set forth above is maintained. Consequently, claims 1, 3-10, 12, 13, and 34-49 are effectively withdrawn.

**Formal Request for an Interview**

**[0010]** If the Office’s reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned Agent for the Applicant—so that we can talk about this matter so as to resolve any outstanding issue quickly and efficiently over the phone.

**[0011]** Otherwise, please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

### **Conclusion**

**[0012]** All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC

Representatives for Applicant



Bea Koempel-Thomas ([bea@leehayes.com](mailto:bea@leehayes.com); x259)

Registration No. 58,213

Kayla D. Brant ([kayla@leehayes.com](mailto:kayla@leehayes.com); x242)

Registration No. 46,576

Dated: 7/26/08

Telephone: (509) 324-9256

Facsimile: (509) 323-8979

[www.leehayes.com](http://www.leehayes.com)